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Paper 7
Filed: May 30, 2012

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

SAUL E. GREENHUT
Junior Party
(Pat. No. 5,964,788)¹

v.

ALEXIS C.M. RENIRIE and VINCENT J.A. SCHOUTEN
Senior Party
(App. No. 09/494,531)²

Patent Interference No. 105,888
(Technology Center 3700)

Before: JAMESON LEE, RICHARD TORCZON, and SALLY GARDNER
LANE, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

Judgment – Request for Adverse – Bd. R. 127(b)

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¹ Based on Application 08/959,391, filed October 28, 1997. The real party in interest is Pacesetter, Inc.

² Filed January 31, 2000. Accorded the benefit of Patent 6,141,590, based on Application 08/937,443, filed September 25, 1997. The real party in interest is Medtronic, Inc.

Interference No. 105,888
Greenhut v. Renirie

1 On May 18, 2012, senior party Renirie filed a paper indicating that it seeks
2 to abandon its involved application and attaching a copy of an executed Express
3 Abandonment form PTO/SB/24(07-09) for its involved Application 09/494,531.
4 Per 37 C.F.R. § 41.127(b)(1), abandonment of an involved application is construed
5 as a request for entry of adverse judgment in the interference.

6 The request is *granted*.

7 It is

8 **ORDERED** that judgment on priority as to Count 1 is entered against senior
9 party ALEXIS C.M. RENIRIE and VINCENT J.A. SCHOUTEN;

10 **FURTHER ORDERED** that claims 1, 2, 5, 9, 15, 18, 26, 29, 31 and 32 of
11 senior party's Application 09/494,531 are finally refused;

12 **FURTHER ORDERED** that the parties shall note the requirements of
13 35 U.S.C. §135(c) and Bd.R. 205;

14 **FURTHER ORDERED** that a copy of this judgment shall be entered into
15 the file of Patent 5,964,788, and Application 09/494,531; and

16 **FURTHER ORDERED** that after entry of this paper senior party's Notice
17 of Express Abandonment will be made available for processing by the Examiner.

18

Interference No. 105,888
Greenhut v. Renirie

By Overnight Mail:

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